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| FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE<br>(REV. 12-2004)   |   | ATTORNEY'S DOCKET NUMBER<br>19237                                   |
| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>  |   | U.S. APPLICATION NO. (If known, see 37 CFR 1.5)<br><b>10/552923</b> |
| INTERNATIONAL APPLICATION NO.<br><b>PCT/JP2004/005167</b>  | INTERNATIONAL FILING DATE<br><b>9 April 2004 (09.04.2004)</b> | PRIORITY DATE CLAIMED<br><b>11 April 11 2003 (11.04.2003)</b>       |
| TITLE OF INVENTION<br><b>MICROINJECTION METHOD AND DEVICE</b>  |   |   |
| APPLICANT(S) FOR DO/EO/US<br><b>Atsushi Miyawaki; Hiroyuki Imabayashi and Sachiko Karaki</b>   |   |   |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:  |   |   |
| <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).             <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</li> <li>11. <input checked="" type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).</li> <li>12. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</li> </ol> |   |   |
| Items 13 to 23 below concern document(s) or information included:  |   |   |
| <ol style="list-style-type: none"> <li>13. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>15. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>16. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>17. <input type="checkbox"/> A substitute specification.</li> <li>18. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13<sup>ter</sup>.2 and 37 CFR 1.821 - 1.825.</li> <li>20. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>21. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</li> <li>22. <input checked="" type="checkbox"/> Express Mail Label No. <b>EV657314095US</b></li> <li>23. <input checked="" type="checkbox"/> Other items or information:</li> </ol>   |   |   |
| <b>Eight (8) Sheets of Drawings</b><br><b>Assignee: RIKEN of Saitama, JAPAN and OLYMPUS CORPORATION of TOKYO, JAPAN</b>  |   |   |

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|  |              |  |            |                          |            |
|--|--------------|--|------------|--------------------------|------------|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5)  |              | INTERNATIONAL APPLICATION NO.  |            | ATTORNEY'S DOCKET NUMBER |            |
| 107552923  |              | PCT/JP2004/005167  |            | 19237                    |            |
| 24. The following fees are submitted:  |              |  |            | Applicant use            | Office use |
| <input checked="" type="checkbox"/> a) Basic national fee ..... \$300.00<br><input checked="" type="checkbox"/> b) Examination fee ..... \$200.00<br><input checked="" type="checkbox"/> c) Search fee ..... \$400.00  |              |  |            | \$ \$300.00              |            |
| <b>TOTAL OF ABOVE CALCULATIONS =</b> \$1000.00   |              |  |            | \$ \$900.00              |            |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.   |              |  |            |                          |            |
| Total Sheets   | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole) |            | RATE                     |            |
| - 100 =  | /50 =        |  |            | x \$250.00               | \$ \$0.00  |
| Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).  |              |  |            | \$ \$130.00              |            |
| CLAIMS   | NUMBER FILED | NUMBER EXTRA   | RATE       |                          |            |
| Total claims   | * 30 - 20 =  | 10   | x \$50.00  | \$ \$500.00              |            |
| Independent claims   | * 3 - 3 =    | 0  | x \$200.00 | \$ \$0.00                |            |
| MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/>   |              |  |            | + \$360.00               | \$ \$0.00  |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>   |              |  |            | \$ \$1,530.00            |            |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.   |              |  |            | \$ \$0.00                |            |
| <b>SUBTOTAL =</b>  |              |  |            | \$ \$1,530.00            |            |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).  |              |  |            | \$ \$0.00                |            |
| <b>TOTAL NATIONAL FEE =</b>  |              |  |            | \$ \$1,530.00            |            |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property  |              |  |            | + \$0.00                 |            |
| <b>TOTAL FEES ENCLOSED =</b>   |              |  |            | \$ \$1,530.00            |            |
| <i>*Claim calculation based on claims as Amount to be refunded: amended by Preliminary Amendment being filed concurrently herewith*</i>  |              |  |            | \$                       |            |
|  |              |  |            | \$                       |            |
| a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>\$1,530.00</u> to cover the above fees is enclosed.<br>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is _____.<br>c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-1013/SSMP</u> . A duplicate copy of this sheet is enclosed.<br>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. |              |  |            |                          |            |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.   |              |  |            |                          |            |
| SEND ALL CORRESPONDENCE TO:  |              |  |            |                          |            |
| Thomas Spinelli  |              |  |            |                          |            |
| Scully, Scott, Murphy & Presser  |              |  |            |                          |            |
| Customer Number: 23389   |              |  |            |                          |            |
| <br>SIGNATURE<br>Thomas Spinelli   |              |  |            |                          |            |
| NAME   |              |  |            |                          |            |
| 39,533   |              |  |            |                          |            |
| REGISTRATION NUMBER  |              |  |            |                          |            |

## CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Atsushi Miyawaki, et al.

Docket No.

19237

Application No.

To be assigned

Filing Date

Herewith

Examiner

Unassigned

Customer No.

23389

Group Art Unit

Unassigned

10/1552923

Invention: MICROINJECTION METHOD AND DEVICE

I hereby certify that the following correspondence:

NEW U.S. APPLICATION UNDER 35 U.S.C. 371

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

October 11, 2005

(Date)

Thomas Spinelli

(Typed or Printed Name of Person Mailing Correspondence)

(Signature of Person Mailing Correspondence)

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